

LABOUR AND EMPLOYMENT DEPARTMENT

The 4th March, 1980

No. 11(86)-74-4-Lab.—Whereas the Governor of Haryana is of the opinion that it is expedient and necessary in the Public interest so to do;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 40 of the Industrial Disputes Act, 1947 (Central Act 14 of 1947), the Governor of Haryana, is pleased to add to the First Scheduled to the said Act, the following industry, namely :—

“23 Chemical Fertilizer Industry”.

The 11th March, 1980

No. 11(112)-3Lab-80/4208.—In pursuance of the provision of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Labour Court, Rohtak in respect of the dispute between the workmen and the management of M/s Yash Pal Ram Chander Metal Works Buria Gate, Jagadhari.

BEFORE SHRI BANWARI LAL DALAL, PRESIDING OFFICER, LABOUR COURT
ROHTAK.

Reference No. 7 of 1979

between

SHRI KARAN SINGH, WORKMAN AND THE MANAGEMENT OF M/S. YASH PAL RAM
CHANDER METAL WORKS, BURIA GATE, JAGADHRI

Present :—

No one, for the workman.

Shri Subhash Chander, for the respondent management.

AWARD

By order No. ID/Amb/520-77/924, dated 6th January, 1979, of the Governor of Haryana the following dispute between the management of M/s. Yash Pal Ram Chander Metal Works, Buria Gate, Jagadhri and its workman Shri Karan Singh was referred for adjudication to this Court in exercise of the powers conferred by clause (c) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 :—

“Whether the termination of services of Shri Karan Singh was justified and in order ? If not, to what relief is he entitled ?”

On receipt of order of reference notices as usual were sent to the parties Shri Surinder Kumar appeared on behalf of the workman and the notice could not be served to the management and order for fresh notices under registered A.D. were passed on 26th April, 1979. Shri Subhash Chander appeared on behalf of the management on 24th May, 1979. The workman stated that his demand notice be treated as claim statement and the management was ordered to file their written statement on 29th June, 1979. On that date of hearing the management in place of filing their written statement filed a withdrawal letter of the workman and the authorised representative of the workman was asked to verify from the workman the execution of this withdrawal letter. The workman's representative could not contact the workman and filed home address of the workman so that the workman could be asked to appear in this court and to make his statement, in respect of the withdrawal cum settlement letter filed by the management. Two notices were sent to the workman under registered A.D. on the address filed by the workman's representative, which were received back with the report of the postman that the family members of the addresses has been informed on 28th December, 1979 and the workman was not present at his house. On 29th December, 1979 also inspite of information left with the members of his family who would have certainly told him of the registered letter. This sufficiently amounts to due service to the workman.

In view of the settlement cum withdrawal letter and the report of postman I arrive at the conclusion that the workman has settled his entire claim with the management and does not want to pursue his reference any further and he has been left with no dispute against the management.

I, therefore, make no dispute award in answer to this reference and send the same in these terms.

BANWARI LAL DALAL,

Dated 26th February, 1980.

Presiding Officer,
Labour Court, Rohtak.

Endst. No. 653, dated 7th March, 1980.

Forwarded (four copies) to the Secretary to Government, Haryana, Labour & Employment Department, Chandigarh, as required under section 15 of the Industrial Dispute Act.

BANWARI LAL DALAL,

Presiding Officer,
Labour Court, Rohtak.

H. L. GUGNANI, Secy.